

HOUSE

AMENDMENT NO.\_\_\_\_

**Offered by**

\_\_\_\_ of \_\_\_\_\_

AMEND House Substitute for Senate Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 14, Section 288.040, Line 13, by inserting after all of said line the following:

"(3) A professionally administered and documented positive chemical test result for a controlled substance, as defined pursuant to section 195.010, RSMo, or for blood alcohol content of eight-hundredths of one percent or more by weight of alcohol in the claimant's blood, performed by a laboratory meeting the certification standards required by the United States Department of Transportation, the College of American Pathologists, the state of Missouri, or equivalent accrediting body, shall be deemed misconduct connected with work. Ineligibility pursuant to a positive chemical test shall apply only in claims against the employer who employed the claimant at the time of the positive test result. The employer suspending an employee pursuant to

Action Taken \_\_\_\_\_

Date \_\_\_\_\_

this provision shall have notified the employee of the employer's controlled substance and alcohol workplace policy by conspicuously posting the policy in the workplace, by including the policy in an employee handbook, or by statement of such policy in a collective bargaining agreement governing employment of the employee. The policy shall state that a positive test result shall be deemed misconduct and may result in suspension or termination of employment."; and

Further amend said bill, Page 26, Section 288.050, Line 7, by inserting after all of said line the following:

"(3) For the purposes of this chapter, a professionally administered and documented positive chemical test result for a controlled substance, as defined pursuant to section 195.010, RSMo, or for blood alcohol content of eight-hundredths of one percent or more by weight of alcohol in the claimant's blood, performed by a laboratory meeting the certification standards required by the United States Department of Transportation, the College of American Pathologists, the state of Missouri, or equivalent accrediting body, shall be deemed misconduct connected with work. Disqualification for benefits pursuant to a positive chemical test shall apply only in claims against the employer who employed the claimant at the time of the positive test result. The employer discharging an employee pursuant to this provision shall have notified the employee of the employer's controlled

substance and alcohol workplace policy by conspicuously posting the policy in the workplace, by including the policy in an employee handbook, or by statement of such policy in a collective bargaining agreement governing employment of the employee. The policy shall state that a positive test result shall be deemed misconduct and may result in suspension or termination of employment."; and

Further amend said title, enacting clause and intersectional references accordingly.